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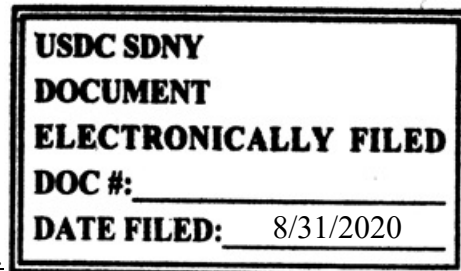
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August 31, 2020

VIA ECF

Honorable Steward D. Aaron, U.S.M.J.
United States District Court for the Southern District of New York
500 Pearl Street, Courtroom 11C
New York, NY 10007



Re: Castillo Soto v. Daniels Deli & Grocery Corp., et al.
1:18-cv-12031 (PGG) (SDA)

Your Honor:

My firm and I represent Plaintiff Castillo Soto ("Plaintiff") in the above-referenced matter. Together with Defendants' counsel, we submit this status update, pursuant to the Court's Order dated August 19 (ECF Doc. No. 44), with respect to Defendants' counsel's efforts to contact Defendants.

In a conversation on August 27, Defendants counsel represented to the undersigned that he has contacted Defendant Benjamin Vasquez ("Vasquez"), but not Defendant Rafael Clase ("Clase"). Said counsel represented to the undersigned that Clase has left the country indefinitely and his whereabouts are unknown. Vasquez, in addition to having been in contact with his attorney, was recently sighted by Plaintiff at one of the Defendants' delicatessens. Defendants' counsel has represented to me that Vasquez now refuses to sign the settlement agreement reflecting the terms that he previously agreed to, claiming that pandemic-related financial hardship makes him reluctant to commit to the payment schedule set forth in the settlement agreement. At any rate, in light of Defendants' confirmed inability and/or unwillingness to finalize the settlement agreement to which they had come to terms, it is respectfully submitted that this matter should be returned to the docket.

On behalf of Plaintiff, I thank the Court for its attention to this matter.

Respectfully Submitted,

/s/ Jordan Gottheim
Jordan Gottheim, Esq.
MICHAEL FAILLACE & ASSOCIATES, P.C.
Attorneys for Plaintiff

Cc: Defendants' Counsel (via ECF)

ENDORSEMENT: This belated letter (ECF No. 45) is not in compliance with the Court's 8/19/20 Order (ECF No. 44). That Order required Defendants' counsel to "indicate whether he intends to mount a defense on behalf of Defendants." No later than 9/2/20, Defendants' counsel shall file a letter with the Court stating whether he intends to mount a defense or intends to file a motion to withdraw as counsel. SO ORDERED.

Dated: 8/31/2020

A handwritten signature in blue ink that reads "Steward D. Aaron".

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